

conditions may be automatically selected and displayed for presentation to a pilot (see specification page 2, line 13, through page 3, line 6).

The Office Action proposes that it would have been well known to a skilled artisan, at the time the present invention was made, to display an approach mode category that is selected based on verified flight and system conditions (see Office Action page 4, last sentence). In effect, the Office Action concludes that a feature recited in the claims for achieving an identified goal of the invention would have been well known in the art at the time of the invention.

The Applicants respectfully submit that the Office Action's conclusion relies entirely upon the hindsight afforded by the Applicants' disclosure. The Office Action cites approximately 46 references that the Office considers most relevant to the presently-claimed subject matter but fails to identify evidence within any of these references that would support the Office Action's assertion that Applicants' disclosed goal and the claimed feature for achieving this goal would have been "well known in the art" at the time of the invention.

The Applicants respectfully submit that if the cited approximately 46 references that are most relevant to the claimed subject matter do not contain evidence showing knowledge of an

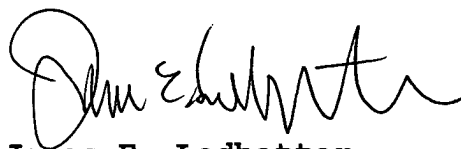
asserted "well-known" feature in the art, then the assertion is not supported by the evidence. Moreover, the foundation of the assertion is all the more suspect in light of the Applicants' specific disclosure of the importance of the claimed feature for promoting a particular goal of the invention. Thus, the Applicants respectfully submit that the Office Action's proposed motivation to modify Harenberg's system to achieve the Applicants' claimed subject matter relies upon the hindsight afforded by Applicants' disclosure.

In accordance with the discussion provided above, the Applicants respectfully submit that the applied references do not render obvious the subject matter defined by independent claims 21, 25, 29, 33, and 37. Specifically, the applied references do not suggest the feature recited in the independent claims of automatically selecting an approach mode category for display based on monitored conditions relating to the functioning of aircraft equipment and the integrity and precision of measurements made by the equipment. Therefore, the Applicants respectfully submit that allowance of claims 21, 25, 29, 33, and 37 and all claims dependent therefrom is warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,



James E. Ledbetter  
Registration No. 28,732

Date: May 15, 2006  
JEL/DWW/att

Attorney Docket No. L7307.04104  
STEVENS DAVIS, MILLER & MOSHER, L.L.P.  
1615 L Street, N.W., Suite 850  
P.O. Box 34387  
Washington, D.C. 20043-4387  
Telephone: (202) 785-0100  
Facsimile: (202) 408-5200